

REMARKS

Claims 41-42 and 67-73 are pending after entry of the foregoing amendments. The claims have been amended to indicate that the method measures NR2 peptides in an emergency room setting within 3 hours after stroke onset, and that the measurements are used to diagnose ischemic stroke. Nothing in the prior art cited in the Office Action would have motivated a skilled worker to perform this diagnosis so close to the stroke because none of this prior art teaches that NR2 peptides from the brain would enter the bloodstream and be detectable within merely three hours after stroke onset. Support for the amendments is found on pages 19 and 20 of the specification.

The Office Action cites Dambinova (1997) against the pending claims. However, as discussed during the conference call with the Examiner earlier today, that reference does not disclose that NR2 biomarkers could be used to diagnose stroke a mere three hours after the onset of stroke. Therefore, it is respectfully submitted that the claims as amended are allowable, and a prompt notice of allowance is earnestly solicited.

CONCLUSION

Applicant trusts that this communication is fully responsive to the pending Office Action. Should the Examiner have any further questions concerning this matter, the Examiner is invited to contact the undersigned at 404-572-3513. Please grant any additional extension of time required to enter this response and charge any additional fees, or credit any overpayment to Deposit Account No. 11-0980.

Respectfully submitted,



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